



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Yakov Sidorin

Serial No.: 09/912,832

Filed: July 24, 2001

For: **OPTICAL SYSTEMS INCORPORATING WAVEGUIDES AND METHOD OF MANUFACTURE**

Confirmation No.: 7136

Group Art Unit: 2839

Examiner: Duverne, Jean F.

Docket No. 10010197-1

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Examiner has made some broad conclusory statements in the Reason for Allowance, which may be viewed as an oversimplification of the examination issues, and if taken out of context, could give rise to an improper interpretation of the claims as well as the file history. For these reasons, Applicant provides the following comments to vouch the record and to ensure proper interpretation of the claims and history.

While Applicants agree with the Examiner that the stated reasons for allowance of the claims are indeed proper grounds for allowance of these claims, there are other additional reasons why these claims are allowable over the prior art of record, and Applicant does not admit that the stated reasons for allowance are the only reasons for allowance. Accordingly, the claims should not to be limited to the particular examples, such as "providing the ionic liquid," and "apply the electric potential," that the Examiner provided in his reasons for allowance.

Further, in accordance with 35 U.S.C. Section 282: "Each claim of a patent (whether in independent, dependent, or multiple dependent form) shall be presumed valid independently of the validity of other claims; dependent or multiple dependent claims shall be presumed valid even though dependent upon an invalid claim." Thus, the dependent claims that were not addressed by the Examiner in the reasons for allowance should not rise or fall,

when construed in terms of validity, with their respective independent claims, but instead should be construed independently of their respective independent claims.

Also, the scope and validity of each claim (whether in independent, dependent, or multiple dependent form) should be determined based upon the entire combination of elements/features/steps in each claim, as opposed to only the particular feature or features pointed out by the Examiner.

Date: 3/26/04

Respectfully submitted,



P. S. Dara, Reg. No. 52,793

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CERTIFICATE OF MAILING

I hereby certify that the below listed items are being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

**Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

on March 26, 2004.

Evelyn Sanders
Evelyn Sanders

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The following is a list of documents enclosed:

Return Postcard

Comments on Statement of Reasons for Allowance

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.